

Richard Wargo

v

Commonwealth of Pennsylvania

No.: 1852-17, 1028-20

FILED
SCRANTON

SEP 01 2021

Writ of Habeas Corpus

[Signature]

Mr. Wargo files this writ pursuant to 42 U.S.C. § 1983. Mr. Wargo was falsely arrested by Officer Martin Livergood of the Shenendoah Police Department without probable cause and without an arrest warrant violating Pa. R. Crim. P. Rule 502 (2) (a)(b) and (c). Propriety is cited in (Commonwealth v. Kaufman, 662 A.2d 1050 (Pa. 1995)) (Commonwealth v. Masterson, 418 A.2d 664 (Pa. Super. 1980) (Commonwealth v. Campana, 304 A.2d 432 (Pa. 1973)). This coincides with the lack thereof, of, a warrant from Parole and Probation officer Brandon Tran to which 18 U.S.C. § 3148 (a)(b)(i)(A)(B) violates Pennsylvania Rules of Evidence 401 for no scientific proof of a positive urinalysis. Also this is a false technical violation due to a conforming change in the 2018 Federal Sentencing Guidelines manual Supplement to Appendix C Amendment 800 § 5b1.3. His imposing sentencing judge did not implement that as a condition. Schuylkill County Administration possesses an unconstitutional municipal policy under (Monell v. Department of social Services of City of New York Supreme Court of the United States 436 U.S. 658, 98 S. Ct. 2018) which violates Federal Rules of Evidence Rule 406 (citing Lewan, Rationale of Habit evidence, 16 Syracuse L. Rev. 39, 49 (1964) (see McCormick § 162, p. 341) Act 122 is completely deprived. Thus, Federal Rules of Criminal Procedure Rule 32.1(a)(i)(A)(2)(3)(A)(c) therefore, (b)(1) is in violation, along with (A)(B)(i)(ii)(iii), (2)(A)(B) violates Federal Rules of Evidence Rule 402 and 403. Federal Rules of Evidence Rule 702(a)(b)(c)(d), along with

Rule 705 is a violation. This in turn violates all Rules of discovery. Federal Rules of Criminal Procedure Rule 32.1 (b)(5) is met, Thus Federal Rules of Civil Procedure Rule 1 Just is not met creating a false arrest and false imprisonment. Mr Wargo is seeking a dismissal of the violations and his release due to Agent Tran acting fraudulently, arbitrarily, and capriciously.

R. Wargo 7.27.2021
signature

Richard Wargo 7.27.2021
print

Return Address and Correspondence
to be Sent to;

% Richard Wargo
1220 East Market St.
Mahanoy City, Pa 17948-0346

Betha Wargo
P.O. Box 346
1226 E. Market St.
Mahanoy City
Pa 17948



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William J. Nealon Federal Bldg
235 North Washington Ave
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Reply
Needed
Please

